

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Katelyn Williams	Team: Team # 3	CCRB Case #: 201001245	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 01/22/2010 10:00 AM	Location of Incident: 1736 Ralph Avenue	Precinct: 69	18 Mo. SOL 7/22/2011	EO SOL 7/22/2011	
Date/Time CV Reported Wed, 01/27/2010 1:45 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 01/27/2010 1:45 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Abraham Badillo	13775	936162	PSA 1

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. An officer			

Officer(s)	Allegation	Investigator Recommendation
A.POM Abraham Badillo	Abuse: Police Officer Abraham Badillo stopped § 87(2)(b)	
B.POM Abraham Badillo	Force: Police Officer Abraham Badillo used physical force against § 87(2)(b)	

Synopsis

On January 27, 2010, § 87(2)(b) filed a complaint over the phone with the CCRB against PO Abraham Badillo of PSA 1. On February 04, 2010, Inv. Katelyn Williams obtained the following telephone statement from § 87(2)(b).

At approximately 9:00 AM on January 22, 2010, § 87(2)(b) was approached by PO Badillo and another officer inside 1736 Ralph Avenue in Brooklyn (**Allegation A**). When § 87(2)(b) attempted to retrieve his wallet from his pocket in order to present his ID, PO Badillo allegedly grabbed him and pushed him against the wall. After § 87(2)(b) retrieved his wallet and handed it to the unidentified officer, PO Badillo attempted to twist § 87(2)(b) hand behind his back. However, once the officers saw that § 87(2)(b) was in the military, they let him go without arresting him or issuing him a summons (**Allegation B**).

§ 87(2)(b) read PO Badillo's shield number (13775) off of his shield at the time of the incident, and provided this number to the CCRB both during his initial complaint and during his telephone statement. PO Badillo is the only officer in the NYPD with shield number 13775. § 87(2)(b) described the officer with shield number 13775 as a light-skinned male who was in his mid-to-late-twenties or early-thirties. He was about 5'6" or 5'7" tall and looked to weigh between 160 and 180 pounds. PO Badillo closely matches this physical description.

Both the mediation and the investigation processes were explained to § 87(2)(b) over the telephone on February 4, 2010. After hearing both processes explained, § 87(2)(b) stated that he wanted to proceed with mediation. He stated that he would like to proceed with mediation

§ 87(2)(b)

§ 87(2)(b) stated that he was not interested in mediating with PO Badillo's partner, but that he just wanted to speak with PO Badillo.

Results of processing the case for mediation

On February 23, 2010, Robert Mohr reviewed and accepted this case for mediation. Also on February 23, 2010, Mr. Mohr called § 87(2)(b) at the phone number he provided, and left a message on his voicemail. Later that day, § 87(2)(b) called Mr. Mohr and left a voice message requesting a call back. Mr. Mohr called § 87(2)(b) back on February 23, 2010, at which time § 87(2)(b) explained that he was § 87(2)(b) leaving the five boroughs in less than a month. § 87(2)(g)

On February 24, 2010, Mr. Mohr called § 87(2)(b) and explained that the mediation unit would be unable to mediate his complaint in less than a month's time.

Mr. Mohr explained to § 87(2)(b) that in lieu of mediating his complaint, he had the choices of investigating his complaint, closing his complaint without further investigation, or he could withdraw his complaint. § 87(2)(b) told Mr. Mohr that he wanted to withdraw his complaint; and he confirmed that he was withdrawing his complaint of his own free will, free of coercion from the CCRB and NYPD. On February 24, 2010, a withdrawal letter was sent to § 87(2)(b)'s home address, and his signed withdrawal statement will be added to the case file upon its receipt.

§ 87(2)(g)

Recommendation

§ 87(2)(g)

Mediation Coordinator:

Date:

Mediation Director:

Date: